

PTO/SB/97 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

**FACSIMILE TRANSMISSION****ISSUE FEE TRANSMITTAL, PUBLICATION FEE  
AND LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS****ATTORNEY DOCKET NO.: SPINE 3.0-455 CIP****APPLICATION NO.: 10/688,632****CONFIRMATION NO.: 2586****MAILING DATE OF NOTICE OF ALLOWANCE: August 11, 2004****FAX NUMBER: (703) 746-4000****PAGES INCLUDING COVER SHEET: 3****PLEASE ACKNOWLEDGE RECEIPT TO SENDER AT (908) 654-7866.****CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the  
United States Patent and Trademark Office.

on November 11, 2004  
Date

Signature

Arnold H. Krumholz; Reg. No. 25,428

Typed or printed name of person signing Certificate

sm

526544\_1.DOC

**BEST AVAILABLE COPY**



Docket No.: SPINE 3.0-455 CIP  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Errico et al.

Application No.: 10/688,632

Confirmation No.: 2586

Filed: October 17, 2003

Art Unit: 3731

For: INSTRUMENTATION AND METHODS FOR  
USE IN IMPLANTING A CERVICAL DISC  
REPLACEMENT DEVICE

Examiner: D. J. Davis

**NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS**

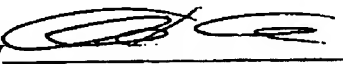
MS ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc. hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: November 11, 2004

Respectfully submitted,

By   
Arnold H. Krumholz  
Registration No.: 25,428  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, New Jersey 07090  
(908) 654-5000  
Attorney for Applicant

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent Office on the date shown below.

Arnold H. Krumholz



Signature

November 11, 2004

Date

To: MS Issue Fee

Fax No.: (703) 746-4000

515003\_1.DOC

**BEST AVAILABLE COPY**